

ANNUAL INCOME AND WHOLE ESTATE.

Clause 41C

*Gross receipts minus social security allowance must be less than:

- ♦ \$23,816.67 if single
- ♦ \$35,725.00 if married

Whole estate less the value of the home except for the value of any portion which exceeds three dwelling units and produces income cannot exceed:

- ♦ \$47,633.34
- ♦ \$65,495.84

The value of a person's (a) cemetery plots, (b) registered motor vehicles, (c) wearing apparel and (d) household furniture and effects kept at the domicile should be excluded from the calculation of the person's whole estate for purposes of these clauses.

*Gross receipts and whole estate values are subject to change each Fiscal Year. The amounts shown are for Fiscal Year 2007. Social Security deduction from Gross Receipts:

- ♦ Worker: \$3,841
- ♦ Spouse: \$1,921
- ♦ Total: \$5,762

FOR FURTHER INFORMATION,
CONTACT YOUR LOCAL BOARD
OF ASSESSORS:

**Hopedale Board of Assessors
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**TAXPAYER'S GUIDE TO
REAL ESTATE TAX
EXEMPTIONS IN
HOPEDALE**

CLAUSE 41C

ELDERLY PERSONS

(65 years of age or older)

Local Option



**Hopedale Board of Assessors
74 Hopedale Street
Hopedale, MA 01747**

INTRODUCTION

A tax exemption is a discharge from the obligation to pay all or a portion of a tax. Exemptions are conferred by the Legislature on particular categories of persons or property.

Clauses 41, 41B and 41C of Section 5 of Chapter 59 provide exemptions to persons 70 years of age or older who satisfy certain whole estate or asset, annual income and residency requirements. Persons 70 or older may, alternatively, qualify for an exemption under Clauses 17, 17C, 17C½ or 17D which provide reduced benefits but for which the eligibility requirements are less strict.

Clause 41 was an early Legislative response to the need of the above category of persons for assistance with their tax obligations. It set out original eligibility requirements for the exemption. As property values and income levels rose, however, it became more difficult for persons to satisfy these requirements. Therefore, the Legislature made alternative exemptions (Clauses 41B and 41C) available for cities or towns to accept by town meeting or city council vote. Each alternative has different eligibility requirements. If a city or town has accepted Clause 41B or 41C, the Clause most recently accepted establishes eligibility rules. If a city or town has not so voted, Clause 41 prevails.

EXEMPTION AMOUNT

The exemption amount for Clause 41C is \$600. The exemption amount is subject to change each fiscal year.

APPLICATIONS

Applications must be filed annually with the local assessors in the city or town where the

property is located on or before December 15th, or three months after the actual tax bills are mailed, whichever is later. Filing an application does not entitle the applicant to a delay in tax payment.

DOCUMENTATION

An applicant for an exemption must provide to the assessors whatever information is reasonably required to establish eligibility. This information may include, but not be limited to:

1. Birth certificates.
2. Evidence of domicile and occupancy.
3. Income tax returns.

ELIGIBILITY REQUIREMENTS

For eligibility, an individual must satisfy requirements relating to (1) age (2) ownership and domicile (3) annual income and (4) whole estate or assets.

NUMBER OF EXEMPTIONS

Not more than one exemption may be granted under Clause 41, 41B or 41C on the same parcel of real estate.

AGE

An individual must be (a) 65 years or older or (b) join owner with a spouse 65 years or older as of July 1 of the tax year. The Town of Hopedale has adopted the local option of 65 years of age or older beginning with Fiscal Year 2007.

OWNERSHIP AND DOMICILE

Under Clause 41, an individual must own and occupy the subject property on July 1 of the tax year. Under Clauses 41B and 41C, in addition to so owning and occupying the subject property, an individual must have been continuously domiciled in Massachusetts for the 10 years preceding the application and have owned and occupied the property or other property in Massachusetts for 5 years.

1. To satisfy this ownership requirement, the person's interest must be worth at least \$4,000. The person may own this interest solely, as a joint owner or as a tenant in common. However, if ownership is joint or a tenancy in common with someone other than a spouse, the exemption amount is reduced to that proportion of \$500 as the person's ownership interest in the property.

2. The holder of a life estate satisfies the ownership requirement.

3. If the domicile is held in a trust, a person can only satisfy the ownership interest if he:

a) Is a trustee or co-trustee of that trust, and

b) Possesses a sufficient beneficial interest in the domicile through that trust. (Splitting the interest between multiple trusts does not qualify.)